

### **Remarks/Arguments**

In the non-final Office Action dated December 28, 2007, it is noted that: claims 1-7 are pending; claims 1-3 and 6 stand rejected; claims 4, 5 and 7 are found to contain allowable subject matter; and claims 1 and 6 are independent.

Claims 1 and 6 have been amended herein to clarify the claimed subject matter. The amendment is based on the original disclosure, for example, pages 4, lines 3-11. Claim 8 has been newly added and is supported by the original disclosure, for example, page 3, lines 6-27. No new matter is entered.

#### ***Rejection of Claims 1-3 and 6 under 35 U.S.C. §102***

Claims 1-3 and 6 stand rejected under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 4,780,874 by Lenoski et al. (hereinafter "Lenoski"). This rejection is respectfully traversed.

Independent claims 1 and 6 each include a feature similar to: a test mode in which the latch is held open, such that the latch is transparent.

In contrast to applicant's claimed features Lenoski teaches that, for example in col. 4, lines 27-35, in a test mode, test data is input to scan chain 18 on a line 32, and scan units 20, 21, and 22 serially shift the test data through scan chain 18 until the test data appears on buses 25 and 29 for processing by combinational logic 24 and 26 respectively. After each combinational logic section has performed its operation on the test data, the results are loaded into scan units 21 and 22 and then shifted out.

Col. 5, lines 42-65 of Lenoski describes the test mode in detail with regard to the shifting of data in and out of the latches.

However, Lenoski fails to teach that in the test mode in which the latch is held open, such that the latch is transparent. In contrast to applicants' claims Lenoski teaches that in test mode, test data is scanned into each latch and the output of each combinatorial logic is scanned into the latch and shifted out.

Thus, Lenoski fails to teach or suggest each of applicants' claimed features and it is respectfully requested the rejection of the independent claims 1 and 6 be withdrawn.

Claims 2 and 3 depend from claim 1 and include at least the above distinguishing features of claim 1. Claims 2 and 3 each include further distinguishing features and should likewise be allowed.

**Conclusion**

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited. If, however, the Examiner believes that there are any unresolved issues requiring further action, it is requested that the Examiner contact the applicant's attorney at (914) 333-9602, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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